

**REMARKS****1. Introduction**

In the Office action it was alleged that claims 28, 39, 49 and 51 were rejected over Rosenberg et al. Applicants traverse these rejections.

**2. Claims 28, 39 and 59**

In support of the rejection reference is made to element 34 of Fig. 7 alleging that Rosenberg et al. taught a sphere. However, upon review of element 34 it becomes clear that Rosenberg et al. does not teach a sphere. Rather, Rosenberg et al. teaches a shaft having disposed at one end, a bulbous body. The distinction between sphere and bulbous body is not trivial. The surface of a sphere is radially and symmetrically disposed about a center point. The surface of a bulbous body, on the other hand, is not necessarily radially and symmetrically disposed about a center point. As demonstrated in Rosenberg et al. body 34 includes a cylindrical shaft extending from a bulbous body disposed at one end. The surface of element 34 defined by the cylindrical portion is not radially symmetrically disposed about a center point and, therefore, does not define a sphere.

More telling is the realization that the claimed invention is directed to a track ball user interface. As a result, a sphere 15 is used to impart motion upon transducers that transform the motion of sphere 15 into electrical signals to facilitate a user interfacing with a computer. Element 34 of Rosenberg et al. would not perform the function of the claimed sphere. Therefore, it is respectfully submitted that a *prima facie* case of anticipation is not present with respect to claims 28, 39 and 51.

### 3. Claim 39

In addition to the arguments set forth above, claim 39 includes additional features that support the patentability of the invention defined thereby. For example, claim 39 includes the features of having at least one compliant element coupled to a housing, with the at least one compliant element being configured to amplify the haptic feedback. In the Office action support of the allegation that these features are taught by Rosenberg et al. is made by reference to elements Figs. 17b and 17c and ball “moving into the ‘compliant’ paddle or ‘sling’.” See Office action, page 6 (quotes in the original).

However, Applicants submit that the teachings of Rosenberg et al. cited in support of the rejection of claim 39 do not give rise to a *prima facie* case of anticipation. Specifically, claim 39 defines an apparatus and the teachings of Rosenberg et al. are directed to a graphical object displayed on a computer. See col. 40, lines 16-28. As a result, Rosenberg et al. fail to teach at least one compliant element coupled to a housing. There is no housing shown to be coupled to the compliant member disclosed in Rosenberg et al.-Rosenberg et al.’s alleged compliant element is displayed on a computer monitor. Therefore, based upon the foregoing it is respectfully contended that a *prima facie* case of anticipation is not present with respect to claim 39.

### 4. Claim 49

Claim 49 has been amended to more clearly distinguish the present invention from the cited prior art. Specifically, claim 49 has been amended to define a method that includes, *inter alia*, generating a first signal by movement of a spherical surface with respect to a sensor in contact with the spherical surface. It is submitted based upon the arguments set forth above that Rosenberg et al. do not teach or suggest these features. Therefore, a *prima facie* case of either anticipation or obviousness is not present with respect to claim 49, as amended.

5. Dependent Claims

Considering the dependent claims include all of the features of the independent claims from which they depend, the dependent claims are patentable to the extent that the independent claims are patentable. As a result, Applicants respectfully contend that a *prima facie* case of neither anticipation nor obviousness is present with respect to the dependent claims for the reasons set forth above with respect to the independent claims.

6. Relief Requested

It is respectfully requested that the claims be examined and in view of the amendments and remarks made above. A notice of allowance is earnestly solicited. If the Examiner has any questions or needs any additional information, the Examiner is invited to contact the undersigned. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,

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